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CENTRAL FAX CENTER****DEC 12 2008****IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Serial No. : 10/629,108  
Applicants : Kazuo KOYAMA et al.  
Filed : July 28, 2003  
For : BENZYLAMINE ANALOGUES  
Art Unit : 1625  
Examiner : Dr. Taofiq A. SOLOLA  
Docket No. : 03338CIP/HG  
Confirm. No.: 6344  
Customer No.: 01933

**LETTER RE: NOTICE OF NON-COMPLIANT  
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**MAIL STOP ISSUE FEE**

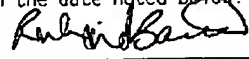
S I R :

It was alleged in the NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT mailed December 9, 2008 that the Information Disclosure Statement ("IDS) filed October 24, 2008 is not compliant with 37 CFR 1.97(d) because the IDS lacked a statement as specified in 37 CFR 1.97(e). The allegation is incorrect for the following reasons.

The aforementioned IDS filed on October 24, 2008 was filed after the submission of an RCE on October 8, 2008 and before the

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TOTAL PAGES: 2  
I hereby certify that this  
paper is being facsimile  
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Commissioner for Patents  
on the date noted below.

  
Attorney: Richard S. Barth

Dated: December 12, 2008

In the event that this Paper  
is late filed, and the  
necessary petition for  
extension of time is not filed  
concurrently herewith, please  
consider this as a Petition  
for the requisite extension of  
time, and to the extent not  
tendered by Form PTO-2038  
attached hereto, authorization to  
charge the extension fee,  
or any other fee required  
in connection with this  
Paper, to Account No. 06-1378.

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mailing of a Notice of Allowance on November 18, 2008, and therefore it was timely filed under 37 CFR 1.97(a)(4), which is reproduced as follows:

"(b) An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following periods:

\* \* \*

(4) Before the mailing of a first Office action after the filing of a request for continued examination under \$1.114."

In view of the above, consideration of the aforementioned IDS is respectfully requested.

Respectfully submitted,



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HG/lpv